Appl. No. 09/510,378 Amdt. dated July 17, 2006 Amendment under 37 CFR 1.116 Expedited Procedure Examining Group 1631

REMARKS

Claims 95-133 have been canceled without prejudice for pursuit in a related case. Claim 85 has been amended to correct a spelling mistake. Claim 90 has been amended to address a rejection under 35 USC 112, second paragraph as described below. No amendment should be construed as acquiescence in any ground of rejection.

Rejections under 35 USC 112, first paragraph

All rejections are moot in view of cancellation of claims 95-133.

Rejection under 35 USC 112, second paragraph

Claim 90 stands rejected on the grounds that "the probe" recited in line 8 lacks antecedent basis. In fact, antecedent basis is provided by the recitation of each probe in the previous line. Nevertheless, claim 90 has been amended to replace the recitation of "the probe" with "and." Accordingly, it is clear that the subsequent phrase "including a single interrogation position complementary to a corresponding nucleotide in the reference sequence" is referring to each probe.

Art-based rejections

All rejections are moot in view of cancellation of claims 95-133.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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PATENT

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Attachments JOL:sjj 60823736 v1